

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Application (BA) No. 1211 of 2021

(Suraj s/o Gopal Gupta ..vs.. The State of Maharashtra through PS.O., Mangalurpir, Dist. Washim)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. D. R. Padshan, Advocate for the applicant
Mrs. K. R. Deshpande, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.
DATED : 13-12-2021

Heard.

2. The applicant is seeking bail in connection with Crime 982/2021 registered at Police Station, Mangrulpir, District Washim for offences punishable under Sections 20 and 22 of the Narcotics Drugs and Psychotropic Substances Act (NDPS Act).

3. The prosecution case is that pursuant to secret information that one person was selling cannabis (*ganja*), the applicant was apprehended. A search was taken of a plastic bag/pouch which was in his possession and *ganja* weighing 6.198 Kgs was seized.

4. It is common ground that the quantity seized is less than the commercial quantity.

5. The applicant has no criminal antecedent and is relatively young, aged 20 years.

6. Learned Additional Public Prosecutor Mrs. K. R. Deshpande fairly states that although formal charge-sheet is not yet submitted, that her instructions are investigation is complete and the formal charge-sheet is likely to be submitted sooner than later. Considering that the applicant is relatively young, he has no criminal antecedent and that stringent conditions incorporated in Section 37 of NDPS Act would not apply, I am inclined to grant bail subject to certain conditions.

7. The application is allowed subject to the following conditions.

(i) The applicant be released on bail on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with solvent surety of the like amount.

(ii) The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.

(iii) While on bail, the applicant shall not indulge in any criminal activity. Even a singular breach of this condition shall entail cancellation of bail, if an appropriate motion is moved.

(iv) The applicant shall report at Police Station, Mangrulpur on the 1st and 15th day of every calendar month till the conclusion of trial.

(v) The applicant shall attend every date of hearing. Breach of this condition shall also entail cancellation of bail unless the absence is condoned/exempted by the jurisdictional Court.

(vi) The applicant shall not leave the country without the permission of the trial Court.

JUDGE

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